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Letter dated 8 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

With regard to my letter dated 5 December 2016 (see annex), in which I request your kind clarification on the questions about the legal basis of the Security Council's "sanctions resolutions" raised in my previous letter, I would hereby like to draw your kind attention once again to this issue and await the answers to be given at your earliest convenience.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative

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Annex to the letter dated 8 December 2016 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Letter dated 5 December 2016 from the Ambassador and Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

On 30 November 2016, the Security Council adopted its "resolution" 2321 (2016), misleadingly denouncing the self-defensive detonation test of a nuclear warhead of the Democratic People's Republic of Korea (DPRK) as a "threat to international peace and security".

The adoption of "resolution" 2321 (2016) is merely another act of abuse of power and flagrant infringement of the sovereignty, entirely denying the exercise of the right to self-defence, which is the absolute legitimate right, of the DPRK, and therefore the DPRK rejects it categorically.

As already clarified, the detonation test of the nuclear warhead conducted last September by the DPRK is part of the practical countermeasures taken in the face of the nuclear blackmail of the United States and the hostile forces against the DPRK, while demonstrating the firmest will of our service personnel and people to counter-attack any type of adversary in case of any provocation.

The Security Council does not have any authority to question the nuclear test and ballistic rocket launches of the DPRK, which were conducted to tackle the nuclear blackmail and the rackets of sanctions of the United States, nor is there any single article in the Charter of the United Nations or international law which stipulates that nuclear tests and ballistic rocket launches constitute a threat to international peace and security.

Nevertheless, the Security Council, overpowered by the high-handedness, arbitrariness and coercive assertions of the United States, determined that the self-defensive nuclear test and ballistic rocket launches of the DPRK were a "threat to international peace and security".

Therefore, it can be concluded that the Security Council has gone beyond its powers, lost impartiality, which is vital for international organizations, and committed an act of double standards by behaving trickily through the application of Chapter 7, Article 39, of the Charter, which stipulates that the Security Council shall determine the existence of any threat to international peace and security before taking any action on sanctions.

If the nuclear test and ballistic rocket launches of the DPRK were considered to be a "threat to international peace and security", then why have the nuclear tests and ballistic missile launches conducted thousands of times by the nuclear Powers, including the United States, not been questioned as "threats to international peace and security"?

In my previous letter to you dated 23 May 2016 (A/70/897-S/2016/465), I clearly pointed out that there were too many serious legal contradictions to be

overlooked in the Security Council's "sanctions resolutions" against the DPRK and kindly requested you to clarify the question.

The fact that the United Nations Secretariat is not giving any response to the letter, although over six months have passed since then, is a clear indication that the Security Council "sanctions resolutions" against the DPRK are only illegal and illegitimate fabrications, based strictly on the interests and behind-the-scenes manoeuvring of the United States.

Regarding the question raised by the DPRK in my previous letter, I kindly urge the United Nations Secretariat to give an answer which is responsible and impartial, in such a manner that can convince the international community and in conformity with the mission of the United Nations for international peace and security.

(*Signed*) **Ja** Song Nam
Ambassador
Permanent Representative